

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

<i>In re:</i>	§
	§ Chapter 11
KrisJenn Ranch, LLC,	§
	§
<i>Debtor</i>	§ Case No. 20-50805-RBK
	§

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KrisJenn Ranch, LLC, KrisJenn Ranch, LLC–	§
Series Uvalde Ranch, and KrisJenn Ranch,	§
LLC–Series Pipeline ROW, as successors in	§
interest to Black Duck Properties, LLC,	§
	§
<i>Plaintiffs,</i>	§ Adversary No. 20-05027-RBK
	§
v.	§
	§
DMA Properties, Inc. and Longbranch	§
Energy, LP,	§
	§
<i>Defendants.</i>	§
	§

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DMA Properties, Inc. and Frank Daniel	§
Moore,	§
	§
<i>Cross-Plaintiffs/Third-Party Plaintiffs,</i>	§
	§
v.	§ Adversary No. 20-05027-RBK
	§
KrisJenn Ranch, LLC, KrisJenn Ranch, LLC–	§
Series Uvalde Ranch, and KrisJenn Ranch,	§
LLC–Series Pipeline ROW, Black Duck	§
Properties, LLC, Larry Wright, and John	§
Terrill,	§
	§
<i>Cross-Defendants/Third-Party Defendants.</i>	§

**RESPONSE TO OBJECTION AND MOTION TO QUASH SUBPOENA SEEKING THE DEPOSITION OF  
DAVID STROLLE  
[RELATES TO DKT. 65]**

In his motion to quash, Mr. Strolle objects and seeks to quash his subpoena to testify at a deposition in this case on three grounds: (1) he was served with an unsigned subpoena; (2) he objects to the date and time of the deposition; and (3) he believes his deposition will require disclosure of privileged or other protected matters. After conferring with Mr. Strolle on available dates and the option to conduct the deposition via video conference, Mr. Strolle was served with a revised subpoena that was signed by counsel. As agreed, Mr. Strolle's deposition will now be conducted on October 21, 2020 at his office via video conference.

The only remaining objection is Mr. Strolle's argument that his deposition will require the disclosure of privileged matters. Mr. Strolle previously served as counsel to Black Duck Properties, LLC. Earlier in this case, the Court reviewed Mr. Strolle's objections to producing documents and ruled Mr. Moore was entitled to documents and communications for the time period running from Black Duck's formation to his resignation from Black Duck. Such documents and communications were not privileged.

Further, as confirmed by counsel for the Debtors in a hearing before the Court on September 22, 2020, documents and communications shared with third parties are also not privileged.

Counsel for Mr. Moore and DMA Properties intend to limit the questions posed to Mr. Strolle to the following topics (1) Mr. Strolle's legal services to Black Duck while Mr. Moore was a manager of Black Duck; (2) services Mr. Strolle provided to KrisJenn

Ranch, LLC, KrisJenn Ranch, LLC—Series Uvalde Ranch, KrisJenn Ranch, LLC—Series Pipeline ROW, and Mr. Wright that raised a conflict of interest with Mr. Strolle’s representation of Black Duck during Mr. Moore’s tenure as manager; and (3) communications with third parties. These three areas are not privileged.

If counsel for Mr. Moore and DMA Properties inadvertently asks questions about topics outside these three areas, Mr. Strolle may object. Mr. Moore and DMA Properties expressly reserve their right to ask the Court to review non-meritorious privilege objections.

Respectfully submitted,

/s/ Christopher S. Johns  
Christopher S. Johns  
State Bar No. 24044849  
Christen Mason Hebert  
State Bar No. 24099898  
JOHNS & COUNSEL PLLC  
14101 Highway 290 West, Suite 400A  
Austin, Texas 78737  
512-399-3150  
512-572-8005 fax  
cjohns@johnsandcounsel.com  
chebert@johnsandcounsel.com

/s/ Timothy Cleveland  
Timothy Cleveland  
State Bar No. 24055318  
Austin H. Krist  
State Bar No. 24106170  
CLEVELAND | TERRAZAS PLLC  
4611 Bee Cave Road, Suite 306B  
Austin, Texas 78746  
512-689-8698  
tcleveland@clevelandterrazas.com  
akrist@clevelandterrazas.com

/s/ Natalie F. Wilson  
Natalie F. Wilson  
State Bar No. 24076779  
LANGLEY & BANACK  
745 East Mulberry Avenue, Suite 700  
San Antonio, Texas 78212  
210-736-6600  
210-735-6889 fax  
nwilson@langleybanack.com

Andrew R. Seger  
State Bar No. 24046815  
KEY TERRELL & SEGER  
4825 50th Street, Suite A  
Lubbock, Texas 79414  
806-793-1906  
806-792-2135 fax  
aseger@thesegerfirm.com

*Attorneys for Frank Daniel Moore and DMA  
Properties, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2020 a true and correct copy of the foregoing document was transmitted to each of the parties via the Court's electronic transmission facilities and/or via electronic mail as noted below. For those parties not registered to receive electronic service, a true and correct copy of the foregoing document was served by United States Mail, first class, postage prepaid, at the address noted below.

<p>Ronald J. Smeberg Charles John Muller, IV MULLER SMEBERG, PLLC 111 W. Sunset San Antonio, TX 78209 ron@smeberg.com john@muller-smeberg.com</p> <p><i>Counsel for Plaintiffs KrisJenn Ranch, LLC, Krisjenn Ranch, LLC, Series Uvalde Ranch, KrisJenn Ranch, LLC, Series Pipeline Row</i></p>	<p>Michael Black BURNS &amp; BLACK PLLC 750 Rittiman Road San Antonio, TX 78209 mblack@burnsandblack.com</p> <p>Jeffery Duke DUKE BANISTER MILLER &amp; MILLER 22310 Grand Corner Drive, Suite 110 Katy, TX 77494 jduke@dbmmlaw.com</p> <p><i>Counsel for Defendant Longbranch Energy, LP</i></p>
<p>Ronald J. Smeberg THE SMEBERG LAW FIRM, PLLC 2010 W Kings Hwy San Antonio, TX 78201-4926 ron@smeberg.com</p> <p><i>Counsel for Third-Party Defendant Black Duck Properties, LLC</i></p>	<p>Shane P. Tobin OFFICE OF THE U.S. TRUSTEE 903 San Jacinto Blvd, Room 230 Austin, Texas 78701 shane.p.tobin@usdoj.gov</p> <p><i>United States Trustee</i></p>
<p>William P Germany BAYNE, SNELL &amp; KRAUSE 1250 N.E. Loop 410, Suite 725 San Antonio, TX 78209 wgermany@bsklaw.com</p> <p><i>Counsel for Larry Wright</i></p>	<p>John Terrill 12712 Arrowhead Lane Oklahoma City, OK 73120</p> <p><i>Third Party-Defendant, pro se</i></p>
<p>Laura L. Worsham JONES, ALLEN &amp; FUQUAY, L.L.P. 8828 Greenville Avenue Dallas, TX 75243 lworsham@jonesallen.com</p> <p><i>Counsel for McLeod Oil, LLC</i></p>	

/s/ Christopher S. Johns  
Christopher S. Johns